

Message Text

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C O N F I D E N T I A L SECTION 01 OF 03 PARIS 05375

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SUBJ: FRENCH VIEWS OF VIETNAMESE DEPENDENTS OF
AMERICANS AND REFUGEE PROBLEMS

REF: (A) PARIS 5073, (B) BANGKOK 3943,
(C) HONG KONG 2008, (D) SINGAPORE 0633

SUMMARY: CONSUL GENERAL AND EMBASSY OFFICER SAW CHAYET,
DIRECTOR OF ADMINISTRATIVE CONVENTIONS AND CONSULAR
AFFAIRS, FEBRUARY 22 TO DISCUSS THE GENERAL SITUATION
OF FRENCH EVACUATIONS FROM SVN AND REFUGEE PROGRAM.
CHAYET CALLED MISLEADING THE REPORT FROM SINGAPORE OF A
CHANGE IN FRENCH POLICY OF ASSISTING AMERICAN DEPENDENTS
TO LEAVE VIETNAM (REF D). HE SAID THAT, IN PRACTICE,
FRENCH HELP WOULD CONTINUE ON A CASE TO CASE BASIS.
CHAYET PROPOSED FURTHER CONVERSATIONS LATER IN MARCH TO
CLARIFY THE SITUATION AND DETERMINE THE BEST MEANS OF
COOPERATING FOR THE BENEFIT OF SUCH AMERICAN
DEPENDENTS. THE FRENCH HAD NOTED AN INCREASING SRV
LIBERALISM IN GRANTING EXIT PERMITS. THE NEW
DECENTRALIZATION OF ISSUANCE OF EXIT PERMITS HAD CAUSED
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GREATER DIFFICULTIES IN JANUARY AND FEBRUARY. CHAYET
THOUGHT THIS PROBLEM ONLY TEMPORARY. BRIBERY REMAINS
AN IMPORTANT FACTOR IN MANY CASES, AND IT COULD
PERHAPS BE USEFUL IN THE CASE OF AMERICAN DEPENDENTS.
FRENCH REPATRIATION PLANS CALL FOR CONTINUING THE
CURRENT PROGRAM OF A ONCE WEEKLY FLIGHT UNTIL JUNE 30
TO BRING OUT THE LAST 1,500 FRENCH CITIZENS AND

DEPENDENTS; HANOI HAS NOT YET AGREED. FRANCE AGREED RECENTLY TO TAKE 3,000 TO 4,000 OF THE 50,000 TO 80,000 CAMBODIAN REFUGEES IN VIETNAM; THE UNHCR WILL HAVE TO PAY TRANSPORTATION. THE FRENCH INTEND TO CONTINUE THEIR CURRENT RATE OF TAKING VIETNAMESE "BOAT CASES" AND OTHER INDOCHINESE IN THAILAND. THE FRENCH DO NOT YET CONSIDER THE RTG THREATS TO REPATRIATE INDOCHINESE REFUGEES TO BE MORE THAN A TACTICAL GESTURE, ONE WHICH THE FRENCH FIND UNDERSTANDABLE. ACTION REQUESTED: INSTRUCTIONS CONCERNING AMERICAN DEPENDENTS IN VIETNAM PRIOR TO MARCH MEETING. END SUMMARY.

1. DEPENDENTS OF AMERICAN CITIZENS AND RESIDENTS IN VIETNAM. CHAYET SAID THAT SOME 3 TO 4 WEEKS AGO HE HAD SENT A MESSAGE TO FRENCH EMBASSIES IN ASIA, INCLUDING BANGKOK AND SINGAPORE, CONCERNING GENERAL FRENCH POLICY IN ASSISTING PERSONS TO LEAVE VIETNAM. HE HAD INDEED SAID THAT THE FRENCH WISH TO AVOID ANY ACTION WHICH, IN THE EYES OF THE VIETNAMESE, COULD CONSTITUTE A FRENCH EFFORT TO CONCEAL A PROGRAM OF DOCUMENTING FOR FRANCE PERSONS WHO ARE ACTUALLY GOING ELSEWHERE. HE SAID THAT THESE INSTRUCTIONS, CONTRARY TO INTERPRETATION IN PARA 3 REF D, DID NOT CHANGE THE DISCRETION OF THE FRENCH IN SAIGON (AND THE COOPERATION OF THE FRENCH EMBASSY IN BANGKOK) TO ASSIST IN INDIVIDUAL, HUMANITARIAN CASES. THERE IS, THEREFORE, NO REAL CHANGE IN THE INSTRUCTIONS WHICH CURRENTLY PERMIT EMBASSY BANGKOK TO SIGNAL TO FRENCH EMBASSY FOR TRANSMISSION TO CONFIDENTIAL

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SAIGON THE NAMES OF PERSONS WHO ARE LIKELY TO OBTAIN US VISAS BECAUSE OF AN APPROVED PETITION. CHAYET THOUGHT, IN FACT, THAT IT WOULD BE ADVISABLE FOR THE US TO CONTINUE TO UTILIZE THESE PROCEDURES SINCE THE CURRENT, SOMEWHAT RELAXED VIETNAMESE POLICY ON EMIGRATION MAY NOT CONTINUE INDEFINITELY. HE SAID THAT ONLY THE FRENCH EMBASSY IN BANGKOK WAS CURRENTLY AUTHORIZED TO WORK WITH THE US SIDE IN FACILITATING SUCH CASES. HE SUGGESTED THAT WE TALK AGAIN WITH HIM IN ABOUT 12 DAYS TIME TO WORK OUT WHAT MIGHT BE DONE IN PARIS, IN BANGKOK OR IN OTHER POSTS TO TAKE CARE OF THE SMALL NUMBER OF CASES OF DEPENDENTS OF AMERICANS WHO ARE ABLE

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TO GET EXIT PERMITS TO LEAVE VIETNAM. SUCH DISCUSSION
WOULD CLARIFY FOR THE BENEFIT OF HIS OWN STAFF AND THE
AMERICAN EMBASSY THE ROLE WHICH THE GOF CAN PLAY.

2. CHAYET HAD KNOWN THAT THE CONSULATE GENERAL IN
SAIGON HAD ASSISTED IN A SMALL NUMBER OF CASES OF
DEPENDENTS OF AMERICANS. HE WAS NOT AWARE, AS NOTED
BY BANGKOK (PARA 5, REF B), THAT ALL THOSE WHO HAD
OBTAINED EXIT PERMITS HAD A NATIONALITY OTHER THAN
VIETNAMESE -- PRESUMABLY CHINESE FOR THE MOST PART.
HE HAD TO DATE RECEIVED NO REPORT WHICH INDICATED THAT
BEING ETHNICALLY REPEAT ETHNICALLY CHINESE
FACILITATED DEPARTURE, ALTHOUGH IT WAS CLEAR, FROM
THE DOCUMENTATION PRESENTED BY PERSONS TRAVELING ON THE
FRENCH PLANE, THAT POSSESSION OF REPUBLIC OF CHINA OR
HONG KONG DOCUMENTATION REPEAT DOCUMENTATION (INCLUDING
ENTRY PERMITS) FACILITATED OBTAINING EXIT PERMITS.
FRANCE, WHICH ORIGINALLY HAD BEEN ABLE TO ARRANGE THE
DEPARTURE OF VIETNAMESE ONLY IF THEY WERE ACCOMPANYING
A FRENCH NATIONAL, WAS NOW ABLE TO ARRANGE THE DEPARTURE
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NOT ONLY OF VIETNAMESE RELATIVES OF FRENCH CITIZENS, BUT
ALSO OF VIETNAMESE RESIDENTS IN FRANCE (NOW SOME 200
PER MONTH). THE DEFINITION OF CLOSE RELATIVE HAS NOT
BEEN CHANGED; IT INCLUDES PARENTS, PARENTS-IN-LAW,

SPOUSES, CHILDREN (UNMARRIED BOYS TO AGE 18, UNMARRIED GIRLS TO AGE 25) AND SIBLINGS (UNMARRIED BOYS TO 18, UNMARRIED GIRLS TO 25).

3. CURRENT SITUATION. THE FRENCH CONSULATE GENERAL HAD REPORTED THAT AS OF JAN 1 THE PROCEDURE FOR GRANTING EXIT PERMITS WAS TO BE DECENTRALIZED TO PERMIT THE AUTHORITIES IN EACH SECTION OF SAIGON TO ISSUE THE PERMITS. ALTHOUGH THIS MEASURE WAS DESIGNED TO SPEED UP THE DELIVERY OF EXIT PERMITS, IN MANY QUARTERS IT HAD HAD THE OPPOSITE EFFECT. DURING JANUARY AND FEBRUARY THERE HAD BEEN A CONSIDERABLE DROP IN RECEIPT OF EXIT PERMITS WHICH LEFT THE FRENCH PLANES HALF EMPTY. THE FRENCH HAD CONCLUDED THAT DESPITE HANOI'S INTENT, THE INEXPERIENCE AND TIMIDITY OF THE LOCAL OFFICIALS HAD DELAYED PROCESSING. CHAYET THOUGHT THAT THIS SITUATION WOULD IMPROVE AS THE OFFICIALS BECAME MORE CONFIDENT; GREATER DECENTRALIZATION MIGHT EVEN RESULT IN LIBERALIZATION, PERHAPS THROUGH LESS CONTROL OF BRIBERY.

4. BRIBERY. AN ELEMENT OF THE SITUATION WHICH WAS OF CONSIDERABLE IMPORTANCE WAS THE CONTINUATION OF BRIBERY. IT WAS NOT CLEAR TO WHAT EXTENT THIS REPRESENTED A GOVERNMENT-ENCOURAGED MEANS OF OBTAINING FOREIGN EXCHANGE OR TO WHAT EXTENT IT REPRESENTED PERSONAL CORRUPTION. CHAYET THOUGHT THERE WAS PROBABLY A LITTLE OF EACH. GIVEN THE NOW FAIRLY BROAD CRITERIA SET UP BY HANOI FOR APPROVING EXIT PERMITS, IT SEEMED THAT THE BRIBES SERVED "TO QUALIFY" SOMEONE WHO WISHED TO LEAVE UNDER ONE OF THE APPROVED CATEGORIES. THUS A BRIBE WOULD BE REQUIRED IF A SON WERE MORE THAN 18
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YEARS OF AGE IN ORDER TO PRESENT HIM AS WITHIN THE AGE LIMIT. CHAYET HAD EVEN HEARD THAT SOME VIETNAMESE TOTALLY WITHOUT ANY REAL CLAIM FOR AN EXIT PERMIT COULD OBTAIN ONE THROUGH PAYMENT OF US\$2,500. THE PERSON MIGHT THEN BE ACCEPTED, IN VIETNAMESE OFFICIAL EYES, AS A FOREIGNER, GENERALLY A CHINESE. CHAYET THOUGHT THAT A LARGER NUMBER OF DEPENDENTS OF AMERICANS MIGHT BE ABLE TO GET EXIT PERMITS IF THEY BRIBED PROPERLY. HE NOTED THAT THERE WERE A NUMBER OF RACKETEERS, INCLUDING SOME IN FRANCE, WHO CLAIMED TO ARRANGE EXIT PERMITS BUT MERELY COLLECTED THE BRIBE. THERE HAD EVEN BEEN FOR A TIME A COMPLAINT CONCERNING BRIBERY OF PERSONNEL OF THE FRENCH CONSULATE GENERAL. IT HAD LATER TURNED OUT THAT FRIENDS OF PERSONS IN THE CONSULATE GENERAL HAD LEARNED WHEN FRENCH ENTRY HAD BEEN GRANTED, AND BEFORE FORMAL NOTIFICATION COULD TAKE

PLACE, APPROACHED THE VIETNAMESE IN QUESTION PROMISING TO ARRANGE FRENCH APPROVAL FOR A FEE. CHAYET THOUGHT THAT THERE WAS LITTLE WHICH FOREIGN GOVERNMENTS COULD DO ABOUT THE VIETNAMESE BRIBERY PROBLEM. ONE COULD NOT EVEN ADVISE RELATIVES ABOUT HOW TO PROCEED SINCE IT SEEMED TO VARY IN EACH CASE AND THE RELATIVE IN VIETNAM WAS THE PERSON BEST PLACED TO KNOW WHAT HE SHOULD DO AND HOW MUCH HE SHOULD PAY.

5. FRENCH "REPATRIATION" PLANS. THE FRENCH HAVE APPROXIMATELY 1,500 FRENCH CITIZENS AND THEIR ELIGIBLE DEPENDENTS STILL IN SOUTH VIETNAM. THEY HAVE AN

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AGREEMENT FOR THE CONTINUATION OF THEIR FLIGHTS UNTIL MARCH 30; THEY HAVE ASKED TO BE ABLE TO CONTINUE UNTIL JUNE 30 TO COMPLETE THE EVACUATION OF THE 1,500, BUT HANOI HAS NOT YET REPLIED. CHAYET COMMENTED THAT THEIR EVACUATION PROGRAM HAD OBVIOUSLY STARTED FIRST WITH THE CREAM OF THOSE ELIGIBLE TO COME TO FRANCE; THEY WERE NOW DOWN TO THE POOREST, MOST UNDERPRIVILEGED AND HARDEST TO RELOCATE. THERE WAS NO QUESTION OF ANY IMPORTANT BRIBERY CONNECTED WITH THE DEPARTURE OF THESE LAST 1,500 SINCE NONE WOULD HAVE THE MEANS TO PAY.

6. ACCESS TO THE FRENCH CONSULATE GENERAL. WE NOTED THAT THERE HAD BEEN SOME REPORTS THAT ACCESS TO THE FRENCH CONSULATE GENERAL WAS LIMITED TO THOSE WITH FRENCH NATIONALITY, IDENTIFICATION AS DEPENDENTS OF FRENCH NATIONALS, OR WITH A COMMUNICATION FROM THE FRENCH CONSULATE GENERAL. IF THIS WERE THE CASE, IT MIGHT BE DIFFICULT FOR DEPENDENTS OF AMERICANS TO MAKE CONTACT WITH THE CONSULATE GENERAL UNLESS THE CONSULATE GENERAL WROTE ASKING THEM TO VISIT. CHAYET
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SAID HE HAD NOT HEARD OF ANY DIFFICULTY OF ACCESS TO THE CONSULATE GENERAL, BUT WOULD INQUIRE.

7. CAMBODIANS IN VIETNAM. CHAYET SAID THAT REPORTS FROM VIETNAM, WHICH INCLUDED ESTIMATES FROM THE VIETNAMESE AUTHORITIES, INDICATED THERE WERE 50 TO 80,000 CAMBODIANS CURRENTLY IN SOUTH VIETNAM. HANOI ASKED THE GOF TO TAKE A NUMBER OF THEM, AND THE GOF HAS AGREED TO ACCEPT A TOTAL OF 3 TO 4,000. CHAYET ASKED THAT THEY NOT BE SENT OUT IN LARGE GROUPS, HOWEVER, BUT BE LIMITED TO 150 TO 300 PER MONTH. SINCE FRANCE WOULD NOT PAY FOR THE TRANSPORTATION, MONEY WOULD HAVE TO BE OBTAINED THROUGH THE UNHCR EXCEPT IN THE SMALL NUMBER OF CASES WHERE RELATIVES IN FRANCE COULD PAY FOR THE TRANSPORTATION. THE SRV WILL APPARENTLY GRANT EXIT PERMITS FOR ANY OF THE CAMBODIANS WHO COULD OBTAIN ENTRY INTO SOME OTHER COUNTRY. IT WAS CLEAR THAT THE SRV DOES NOT WISH TO REPATRIATE THESE CAMBODIANS, BUT ALSO DOES NOT WISH TO KEEP THEM IN VIETNAM IF THERE IS ANY OTHER ALTERNATIVE.

8. FRENCH REFUGEE PROGRAM. CHAYET COMMENTED THAT THE FRENCH REFUGEE PROGRAM WAS PROCEEDING SMOOTHLY AS IN THE PAST. ALTHOUGH THEY HAD EARLIER THOUGHT THERE MIGHT BE A TAPERING OFF OF THE MONTHLY RATE OF ENTRY, THIS HAD NOT PROVEN TO BE THE CASE. THEY WERE STILL TAKING IN THE REFUGEES AT A CONSTANT RATE AND HAD BEEN ABLE TO RESIST ANY EFFORTS TO IMPOSE AN OVERALL QUOTA. HE THOUGHT FRANCE WOULD BE ABLE TO KEEP UP THIS PROGRAM FOR A CONSIDERABLE LENGTH OF TIME AS INDOCHINESE REACHED THAILAND AND OTHER SOUTHEAST ASIAN COUNTRIES.

9. FRENCH VIEW OF THE THAI POSITION. CHAYET SAID THE FRENCH WERE AWARE OF THE THAI DESIRE TO SLOW DOWN IF NOT STOP THE INFLUX OF REFUGEES INTO THAILAND. THE THAI HAD VERY LEGITIMATE SECURITY, POLITICAL AND ECONOMIC
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CONCERNS BECAUSE OF THE LARGE NUMBERS OF REFUGEES WHO POTENTIALLY COULD CROSS INTO THAILAND AND THE IMPACT ON THAILAND'S RELATIONS WITH ITS NEIGHBORS. HE THOUGHT THE CURRENT THAI EFFORTS, INCLUDING THE THREAT TO RETURN REFUGEES TO THE COUNTRY OF ORIGIN, WERE DESIGNED TO:

(1) TO DISCOURAGE CERTAIN REFUGEES FROM ENTERING THAILAND LEST THEY INDEED BE RETURNED, AND (2) TO MAKE IT CLEAR TO THE UNHCR AND COUNTRIES LIKE FRANCE AND THE US THAT IF THEY DO NOT WISH REFUGEES TO BE RETURNED FOR POSSIBLE EXECUTION, THEY SHOULD ASSIST THAILAND BY TAKING MORE REFUGEES OR SUPPORTING FINANCIALLY THOSE WHO STAYED IN THAILAND.

10. ACTION REQUESTED. PRIOR TO OUR NEXT MEETING WITH CHAYET SOME TIME AFTER MARCH 7, WE WOULD APPRECIATE DEPARTMENT'S SUGGESTIONS FOR FURTHER QUESTIONS TO POSE TO THE FRENCH AND ANY INSTRUCTIONS CONCERNING HOW WE CAN BETTER ORGANIZE THE ASSISTANCE WHICH WE, WITH THE HELP OF THE FRENCH, CAN PROVIDE TO RELATIVES IN VIETNAM OF AMERICAN CITIZENS AND RESIDENTS, PARTICULARLY THOSE WHO ARE BENEFICIARIES OF APPROVED PETITIONS.
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